

RESOLUTION NO. 10,074

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK ADOPTING A COMPLETE STREETS POLICY

WHEREAS, the term "Complete Streets" describes a comprehensive, integrated transportation network with infrastructure and design that allows safe and convenient travel along and across streets for all users, including pedestrians, bicyclists, persons with disabilities, motorists, emergency personnel, movers of commercial goods and freight, users and operators of public transportation, seniors, children, youth, and families; and

WHEREAS, The City of Newark recognizes that the planning and coordinated development of Complete Streets infrastructure provides benefits for local governments in the areas of infrastructure cost savings; public health; and environmental sustainability; and

WHEREAS, The City of Newark acknowledges the benefits and value for the public health and welfare of reducing vehicle miles traveled and increasing transportation by walking, bicycling, and public transportation; and

WHEREAS, the State of California has emphasized the importance of Complete Streets by enacting the California Complete Streets Act of 2008 (also known as AB 1358), which requires that when cities or counties revise general plans, they identify how they will provide for the mobility needs of all users of the roadways, as well as through Deputy Directive 64, in which the California Department of Transportation explained that it "views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation system"; and

WHEREAS, the California Global Warming Solutions Act of 2006 (known as AB 32) sets a mandate for the reduction of greenhouse gas emissions in California, and the Sustainable Communities and Climate Protection Act of 2008 (known as SB 375) requires emissions reductions through coordinated regional planning that integrates transportation, housing, and land-use policy, and achieving the goals of these laws will require significant increases in travel by public transit, bicycling, and walking; and

WHEREAS, numerous California counties, cities, and agencies have adopted Complete Streets policies and legislation in order to further the health, safety, welfare, economic vitality, and environmental wellbeing of their communities; and

WHEREAS, the Metropolitan Transportation Commission, through its One Bay Area Grant (OBAG) program, described in Resolution 4035, requires that all jurisdictions, to be eligible for OBAG funds, need to address complete streets policies at the local level through the adoption of a Complete Streets Policy or through a General Plan that complies with the California Complete Streets Act of 2008; and

WHEREAS, the Alameda County Transportation Commission, through its Master Program Funding Agreements with local jurisdictions, requires that all jurisdictions must have an adopted complete streets policy, which should include the "Elements of an Ideal Complete

Streets Policy” developed by the National Complete Streets Coalition, in order to receive Measure B pass-through and Vehicle Registration Fund funding; and

WHEREAS, the City of Newark therefore, in light of the foregoing benefits and considerations, wishes to improve its commitment to Complete Streets and desires that its streets form a comprehensive and integrated transportation network promoting safe and convenient travel for all users while preserving flexibility, recognizing community context, and using design guidelines and standards that support best practices;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newark, State of California, as follows:

1. That the City of Newark adopts the Complete Streets Policy attached hereto as Exhibit A, and made part of this Resolution, and that said exhibit is hereby approved and adopted.
2. That the next substantial revision of the City of Newark’s General Plan will incorporate Complete Streets policies and principles consistent with the California Complete Streets Act of 2008 (AB 1358) and with the Complete Streets Policy adopted by this resolution.

I HEREBY CERTIFY the foregoing resolution was introduced at a regular meeting of the City Council of the City of Newark held on March 14, 2013, by Vice Mayor Apodaca, who moved its adoption and passage, which motion was carried after being duly seconded, and passed by the following vote:


AYES: Council Members Freitas, Marshall, Vice Mayor Apodaca, and Mayor Nagy

NOES: None

ABSENT: Council Member Collazo

SECONDED: Council Member Freitas

APPROVED:


s/ALAN L. NAGY
Mayor

ATTEST:


s/SHEILA HARRINGTON
City Clerk

APPROVED AS TO FORM:

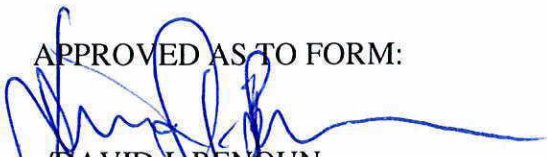

s/DAVID J. BENOUN
City Attorney

Exhibit A

This Complete Streets Policy was adopted by Resolution No. 10,074 by the City Council of the City of Newark on March 14, 2013.

COMPLETE STREETS POLICY OF THE CITY OF NEWARK

***Vision:** All transportation improvements in the City of Newark will be planned, funded, designed, constructed, operated and maintained to provide safe mobility for all users, appropriate to the function and context of the facility.*

A. Complete Streets Principles

1. Complete Streets Serving All Users and Modes. The City of Newark expresses its commitment to creating and maintaining Complete Streets that provide safe, comfortable, and convenient travel along and across streets (including streets, roads, highways, bridges, and other portions of the transportation system) through a comprehensive, integrated transportation network that serves all categories of users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods and freight, users and operators of public transportation, emergency responders, seniors, children, youth, and families.

2. Context Sensitivity. In planning and implementing street projects, departments of the City of Newark will maintain sensitivity to local conditions and needs in both residential and business districts as well as urban, suburban, and rural areas, and will work with residents, merchants, and other stakeholders to ensure that a strong sense of place ensues. Improvements that will be considered include travel lanes that accommodate commercial and transit vehicles, sidewalks, shared use paths, bicycle lanes, bicycle routes, paved shoulders, street trees and landscaping, planting strips, accessible curb ramps, crosswalks, refuge islands, traffic signals, pedestrian signals, signs, street furniture, bicycle parking facilities, public transportation stops and facilities, transit priority signalization, and other features assisting in the provision of safe travel for all users.

3. Complete Streets Routinely Addressed by All Departments. All relevant departments of the City of Newark will work towards making Complete Streets practices a routine part of everyday operations, approach every relevant project, program, and practice as an opportunity to improve streets and the transportation network for all categories of users, and work in coordination with other departments, agencies, and jurisdictions to maximize opportunities for Complete Streets, connectivity, and cooperation.

4. All Projects and Phases. Complete Streets infrastructure sufficient to enable reasonably safe travel along and across the right of way for each category of users adhering to local conditions and needs will be incorporated into all planning, funding, design, approval, and implementation processes for any construction, reconstruction, retrofit, maintenance, operations, alteration, or repair of streets (including streets, bicycle paths, roads, highways, bridges, and other portions of the transportation system), except that specific infrastructure for a given category of users may be excluded if an exception is approved via the process set forth in Section C of this policy.

B. Implementation

1. **Design.** The City of Newark will generally follow its own accepted or adopted design standards, including the General Plan, Specific Plans, Standard Plans and Specifications, and the Newark Pedestrian and Bicycle Master Plan, and will also evaluate using the latest design standards and innovative design options, with a goal of balancing user needs.

2. **Network/Connectivity.** The City of Newark will incorporate Complete Streets infrastructure into existing streets to improve the safety and convenience of all users, with the particular goal of creating a connected network of facilities accommodating each category of users, and increasing connectivity across jurisdictional boundaries and for anticipated future transportation investments.

3. **Implementation Next Steps.** The City of Newark will take the following specific next steps to implement this Complete Streets Policy:

- a. **Plan Consultation and Consistency:** Maintenance, planning, and design of projects affecting the transportation system will be consistent with the City of Newark General Plan and Specific Plans as well as local bicycle, pedestrian, transit, multimodal, and other relevant plans.
- b. **Stakeholder Consultation:** Develop and/or clearly define a process to allow for stakeholder involvement on projects and plans, as early in the development process as possible, including, but not limited to, emergency responders, commercial and transit service providers, the local bicycle and pedestrian advisory committee (BPAC) and/or other advisory groups, as necessary to support implementation of this Complete Streets policy by the City of Newark.

4. **Performance Measures.** All relevant departments will establish performance measures and perform evaluations of how well the streets and transportation network of the City of Newark are serving each category of users by collecting baseline data and collecting follow-up data on a regular basis.

C. Exceptions

1. **Exception Approvals.** Exceptions to this Complete Streets Policy may be allowed on a case-by-case basis when the following listed specific exceptions in Section C.2 are determined to be applicable. Written findings for exceptions will be included in a memorandum, signed off by the Public Works Director and made publicly available. Exceptions will explain why accommodations for all users and modes were not included in the plan or project. The Public Works Director will have the authority to make reasonable alterations to this exception approval process, including identification of additional specific exceptions. Any such alterations will be clearly defined in the written findings to be made available to the public.

2. **Specific Exceptions:** Accommodations under the Complete Streets Policy for the City of Newark may not be necessary on transportation corridors where:

- a. Specific users are prohibited, such as interstate freeways or pedestrian malls.
- b. The cost of accommodation of all users is excessively disproportionate to the need or probable use.
- c. There is a documented absence of current and future (20-or-more year horizon) need as determined by the local and/or regional approved planning documents, or other available means.
- d. There is no existing or planned transit service , and therefore no need to provide transit and transit supporting facilities.
- e. The scope is limited to routine maintenance of the transportation network that does not change the roadway geometry or operations, such as mowing, sweeping and spot repair.
- f. A reasonable and equivalent project along the same corridor is already programmed to provide facilities exempted from the project at hand.
- g. Accommodations are physically impossible to construct or implement.